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In re Patent No. 7,386,311 :
Issue Date: June 10, 2008 : LETTER REGARDING
Soga et al. : PATENT TERM ADJUSTMENT
Application No. 10/761,663 : and
Filed: January 20, 2004 : NOTICE OF INTENT TO ISSUE
Atty Docket No. 9683/164 : CERTIFICATE OF CORRECTION

This is in response to the "REQUEST FOR REVIEW OF PATENT TERM ADJUSTMENT," filed July 18, 2008. Pursuant to their duty of candor and good faith to the Office, patentees disclose that the determination of patent term adjustment may limit the term of this patent by too few days.

The request for review of the patent term adjustment is **GRANTED**.

The patent term adjustment indicated in the patent is to be corrected by issuance of a certificate of correction showing a revised Patent Term Adjustment of five hundred forty-nine (**549**) days.

On June 10, 2008, the application matured into U.S. Patent No. 7,386,311, with a revised patent term adjustment of 594 days. Patentees state no basis for their disclosure that the patent term adjustment may be limited by too few days.

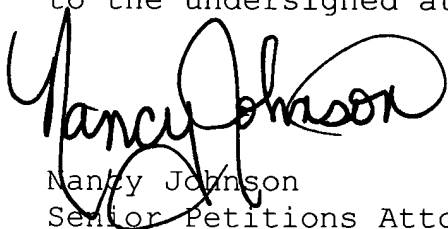
Nonetheless, a review of the record confirms that an additional period of reduction should have been entered. In response to the final Office action mailed August 24, 2007, patentees did not file a response in compliance with §1.113(c) until January 8, 2008, three months and 45 days later. As such, a period of reduction of 45 days is being entered pursuant to 37 C.F.R. §1.704(b).

In view thereof, the patent should have issued with a revised patent term adjustment of five hundred forty-nine (549) days.

As this letter was submitted as an advisement to the Office of an error in Patentees' favor, the Office will not assess the \$200.00 fee under 37 CFR 1.18(e). The Office thanks Patentees for their good faith and candor in bringing this to the attention of the Office.

The application file is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction in order to rectify this error. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by five hundred forty-nine **(549)** days.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson", is written over the typed name and title.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,386,311 B2

DATED : June 10, 2008

DRAFT

INVENTOR(S) : Soga et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 594 days

Delete the phrase "by 594 days" and insert – by 549 days--